

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-88 (Sub-No. 10X)

**Bessemer and Lake Erie Railroad Company--Abandonment
Exemption--in Armstrong and Butler Counties, PA**

BACKGROUND

In the above entitled proceeding, Bessemer and Lake Erie Railroad Company (B&LE), has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a 20.1-mile line of its railroad known as the Western Allegheny Branch, extending from Station 1400+80 East to End of Track at Station 2460+98 in Armstrong and Butler Counties, PA. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

The right-of-way varies from 80 to 120 feet wide. Areas with side tracks or former loading sites are somewhat wider. The major portion of the right-of-way follows an alignment that includes a great deal of curvature that was necessitated by the goal of achieving reasonable gradients through very hilly lands. In its application, B&LE states that there has been no traffic on the line during the past two years.

ENVIRONMENTAL REVIEW

BL&E submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post abandonment activities, including salvage and disposition of the right-of-way. BL&E served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. Also we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included the Pennsylvania Public Utility Commission; Military Traffic Management Command Transportation Engineering Agency; USDA Forest Service; National Park Service, Recreation Resources Assistance Division; PA Department of Environmental Protection; PA Department of Transportation; Butler County Commissioners; Armstrong County Commissioners; U.S. Environmental Protection Agency,

Region 3; U.S. Fish and Wildlife Service, PA Field Office; U.S. Army Corps of Engineers, Pittsburgh District; National Park Service-Northeast Region; USDA-Natural Resources Conservation Service; National Geodetic Survey; PA Historical and Museum Commission; Water Management PA DEP; USDA-NRCS; and PA DEP Southwest Region.

The USDA Natural Resources Conservation Service (NRCS) indicates that the Armstrong County Soil Survey states that the proposed abandonment may be located on or near soils with inclusions of hydric components and because of the characteristics of hydric soils it is possible that during salvage operations it is possible that a wetland may be disturbed. NRC states that if any earth moving takes place, an erosion and sedimentation control plan must be prepared for the project and kept on site during salvage operations. Also, The Pennsylvania Department of Environmental Protection-Southwest Region states that prior to removing the rails and ties, it is necessary that BL&E have an erosion and sediment control plan approved by the county conservation districts prior to salvage operations, since this project will disturb more than five acres. The approval will be in the form of a NPDES Storm Water Construction Permit. Therefore, we recommend that B&LE consult with NRCS and contact Dave Rupert, District Manager, Armstrong County Conservation District, Armsdale Administrative Building, RR#8, Box 294, Kittanning, PA 16201 (724) 854-3425 prior to salvage operations.

The U.S. Environmental Protection Agency-Region III, states that potential contamination caused by rail activities should be addressed and information on waste disposal of rail material should be provided. The disposal area should not be located where it may impact any resources. There may be environmental impacts caused by erosion during and after construction, stockpiling of waste material, and access to the removal area. Areas that are disturbed should be revegetated with native species where possible. Therefore, we recommend that B&LE consult with the EPA-Region III prior to salvage operations.

The Pennsylvania Historical and Museum Commission (SHPO) states that the evaluation of the section 106 process of the National Register of Historic Places has not been completed and requires additional information from B&LE. Therefore, we recommend that a condition be imposed requiring B&LE to retain its interest in and take no steps to alter the historic integrity of the line in its entirety until completion of the section 106 process of the National Preservation Act, 16 U.S.C. 470f has been completed.

CONDITIONS

We recommend the following environmental conditions be placed on any decision granting abandonment authority:

(1) Prior to salvage operations, we recommend that B&LE consult with NRCS and DOE-Southwest Regions, Dave Rupert, District Manager, Armstrong County Conservation District, Armsdale Administration Building, RR#8, Box 294, Kittanning, PA 16201 (724) 854-3425.

(2) Consult with the EPA-Region III District prior to salvage operations.

(3) Retain its interest in an take no steps to alter the integrity of the line until the section 106 process has been completed.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed discontinuance would include denial (and, therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In this case, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rial line does not take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 2215, Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to STB Docket No. AB-88 (Sub-No. 10X) in all correspondence addressed to the**

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Board. If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629.

Date made available to the public: October 13, 2000.

Comment due date: October 30, 2000.

By the Surface Transportation Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

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MAP NEEDS TO BE SCANNED.